



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : David Palsulich, et al.
 App. No. : 09/385,386
 Filed : August 30, 1999
 For : TRANSFER LINE FOR
 MEASUREMENT
 SYSTEMS
 Examiner : K.T. Nguyen

Group Art Unit: 2881

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and are addressed to the United States Patent and Trademark Office, Box DAC, P.O. Box 2327, Arlington, VA 22202, on

April 2, 2003

John M. Crover, Reg. No. 42,610

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
 ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

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APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

The Applicants hereby petition for revival of the above-captioned application for patent abandoned unintentionally under 37 C.F.R. § 1.137(b), and to accept the Applicants' Response to Restriction Requirement, a copy of which is attached hereto as Exhibit A. The application became abandoned for failure to file a timely and proper response to the Restriction Requirement mailed on November 23, 2001, which set a 1-month period for response. The Notice of Abandonment was mailed on July 8, 2002.

Specifically, the application became abandoned when the Patent Office did not receive a timely facsimile filing of the Applicants' attached Response to Restriction Requirement. The Applicants petitioned to withdraw the holding of abandonment under 37 C.F.R. § 1.181. However, that petition was dismissed on March 11, 2003, because, among other things, the Applicants do not have a fax confirmation sheet corresponding to the filing. Accordingly, the Applicants now petition for revival under 37 C.F.R. § 1.137(b).

- Petition Fee: Please find enclosed herewith a check in the amount of \$1,300 for fee specified under 37 C.F.R. § 1.17(m).

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App. No. : 09/3~~3~~,386
Filed : August 30, 1999

2. Reply: A copy of the timely facsimile filed Response to Restriction Requirement is enclosed herewith as Exhibit A, and the Applicants respectfully request entry thereof into the present case.

4. Terminal Disclaimer: Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

3. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 2, 2003

By:


John M. Grover
Registration No. 42,610
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Customer No. 20,995
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No.: MICRON.093A

Applicants : David Palsulich, Eric Swanson, Larry Weston, Kevin Coyle

For : TRANSFER LINE FOR MEASUREMENT SYSTEMS

Attorney : John M. Grover

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Date of Deposit : April 2, 2003

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I hereby certify that the accompanying

Transmittal Letter; Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b); Exhibit A, including: a Copy of a Facsimile Cover Sheet dated December 11, 2001; a Copy of a Transmittal Letter dated December 11, 2001; a Copy of (2) pages of a Response to Restriction Requirement dated December 11, 2001; Check for Filing Fee; Return Prepaid Postcard.

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In re application of: David Palsulich, et al.
App. No. : 09/385,386
Filed : August 30, 1999
For : TRANSFER LINE FOR
MEASUREMENT SYSTEMS
Examiner : K.T. Nguyen
Art Unit : 2881

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April 2, 2003

(Date)

John M. Grover, Reg. No. 42,610

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

ATTN: BOX DAC

Sir:

Transmitted herewith is a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) in the above-identified application.

Enclosed are:

(X) attached Exhibit A, including:

1. a copy of a facsimile cover sheet dated December 11, 2001;
2. a copy of a transmittal letter dated December 11, 2001; and
3. a copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001; and

(X) a check in the amount of \$1,300; and

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Please use Customer No. 20,995 for the correspondence address.


John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995

Exhibit A

This Exhibit A includes the following items corresponding to the Response to Restriction Requirement timely filed via facsimile on December 11, 2001.

1. Copy of a facsimile cover sheet dated December 11, 2001.
2. Copy of a transmittal letter dated December 11, 2001.
3. Copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001.

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** U.S. Patent Agent

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Message: Please see Response to Restriction Requirement.

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I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

December 11, 2001

(Date)

Adeel S. Akhtar

Adeel S. Akhtar, Reg. No. 41,394

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Case Docket No. MICRON.093A
Date: December 11, 2001
Page 1

In re application of : Palsulich et al.
App. No. : 09/385,386
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Examiner : Nguyen
Art Unit : 2881

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December 11, 2001

(Date)

Adeel S. Akhtar, Reg. No. 41,394

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	44	—	49	= 0 × \$18	= \$0
Independent Claims	8	—	9	= 0 × \$84	= \$0
				\$280	= \$0
Time Extension Fee					\$0
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Adeel S. Akhtar
Registration No. 41,394
Attorney of Record

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Applicant	:	Palsulich et al.)	Group Art Unit 2881
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Appl. No.	:	09/385,386)	CERTIFICATE OF FAX TRANSMISSION
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)	
Examiner	:	Nguyen)	Adeel S. Akhtar, Reg. No. 41,394

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In an action mailed November 23, 2001, the Examiner required restriction of prosecution to one of the following groups of claims:

Group I Claims 1-5, drawn to a measurement system; and

Group II Claims 6-49, drawn to a transfer system.

In response, Applicants elect without traverse to proceed with prosecution on the merits of Group II (Claims 6-49).

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Appl. No. : 9/385,386
Filed : August 30, 1999

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Conclusion

In view of the foregoing, Applicant submits that the application is in condition for examination on the merits, and respectfully requests the same.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 11, 2001

By: Adeel S. Akhtar

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